

01 May 2011

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FEDERAL COMMUNICATIONS COMMISSION
445 12TH STREET, S.W.
WASHINGTON, D.C. 20554

VIA E.C.F.S. SYSTEM

SUBJECT: *WT Docket #08-63*

RE: Informal Request for Stay: *Withdrawn*

To the Commission:

I have considered the likelihood of success upon Application for Review before the full Commission and believe that to be unlikely. While ReconRobotics' counsel is correct that the premises supported a grant of stay as stated in the informal request for stay are minimal, the more important reason for the Commission to stay/reverse its own decision is that it deprives law enforcement agencies a robust right to spectrum access during a critical event. The waiver relegates law enforcement agencies to a sub-secondary status during a crisis, subject to shut-down should they interfere with other licensed services. I maintain the wiser course of action was to abandon these 'waivers' and instead license ReconRobotics as amateur radio stations whereby they'd have absolute communications priority over routine communications during an emergency requiring law enforcement to consider entry into an unfriendly building.

With increasingly crowded spectrum, and with the high likelihood of interference complaints resulting in shut-down, this will almost certainly result in loss of life on the part of law enforcement agencies when they make go/no-go decisions about entries into precarious locations. With their current status, these Part 90 stations exist at the sufferance of other licensees...a position in which any law enforcement chief would find hard to comprehend during an emergency. However, if ReconRobotics and the Commission are satisfied with this half-hearted result and the precedent thereby set, I shall stand aside and abide it with regard to when it takes effect. To this end, my informal request for stay in WT Docket 08-63 is HEREBY WITHDRAWN without prejudice. NOTWITHSTANDING the undersigned withdrawing his informal request for stay, the Petitions to Deny and Informal Objections lodged against the individual applications for license remain, are reasserted hereby, and are not withdrawn.

Respectfully yours,



Is. J James E. Whedbee

Commissioner James Edwin Whedbee, M.Ed.
Licensee: N0ECN